



MAY 14, 2001

TO: FEDERAL EXECUTIVE BOARD MEMBERS AND ALTERNATES
FROM: KATHRENE HANSEN, EXECUTIVE DIRECTOR
SUBJECT: SMART (SHARED MEDIATOR TEAM), ALTERNATIVE DISPUTE
RESOLUTION (ADR)
RESPONSE DATE: JUNE 14, 2001

For over a year, Federal agencies involved in EEO disputes have been required to make available an alternative dispute resolution (ADR) program during both the pre-complaint and the formal complaint processes, under EEO Commission Regulation 29CFR Part 1614. The Commission encourages agencies to use ADR as a valuable tool in resolving EEO disputes. Indeed, ADR is exceptionally effective in resolving any type of workplace dispute, including grievances and EEO complaints.

Since 1994, our FEB Equal Employment Opportunity (EEO) Committee has offered all local agencies FREE mediation services through an informal ADR Shared Neutrals program. Our program like most enjoys a high success rate, thanks to the hard work and contributions of the EEO Committee Co-Chairs, Rachel Taylor, EEO Officer, Defense Contract Audit Agency, and Anna Morales, EEO Manager, U.S. Customs Service. Their dedication has resulted in a very special and successful program.

Our official program is now named SMART (Shared Mediator Team), to highlight that it is SMART management to use ADR and our FREE mediators to the maximum extent possible to conserve our limited Federal resources.

- Conservative data indicate that an EEO complaint which goes all the way to court may cost your agency \$200,000 in salary and other expenses.
- Under SMART, most cases are resolved within a month, instead of years.
- Most SMART cases are completed in one day or less of mediation and a few more hours of preparation and closure time.
- The mediator's home agency pays the salary cost.
- The using agency pays only local travel expense, e.g., mileage.
- If you contract for a private mediator, you will pay up to \$300 per hour or about \$5,000 a case.

In order for us to identify Federal ADR Coordinators and potential SMART Mediators in the Greater Los Angeles area, would you **please complete the attached**

Contact Sheet by June 14, 2001?

- Your agency ADR Coordinator will be a contact point for SMART communications.
- The Trained Mediators, employed by your agency and listed on your Contact Sheet, will be eligible for SMART mediation cases at other agencies.

For each SMART mediation case, we use either

- One experienced mediator OR
- One experienced mediator and a less-experienced co-mediator, who thus acquires valuable experience.

In accordance with our plan to formalize, expand, and measure the cost savings of this program, we have asked Andrea Winkler, our long-term detailee from the Internal Revenue Service, to serve as Program Coordinator.

- Ms. Winkler will work with Ms. Taylor and Ms. Morales to fulfill the requests of your agency ADR Coordinators for FREE trained mediators from other agencies to resolve your workplace disputes in a neutral and professional manner.
- Ms. Taylor and Ms. Morales will continue to be involved in setting SMART professional standards and training and certifying SMART mediators.
- Ms. Winkler will arrange for mediations, create program materials, publicize SMART, and analyze and report on SMART results, e.g., cost savings.

Please forward your completed Contact Sheet (attached) and all future written requests for mediation by e-mail or fax (private no cover sheet needed) to:

Andrea Winkler, SMART Coordinator, Greater Los Angeles Federal Executive Board
300 N. Los Angeles St., MS 7000
Los Angeles, CA 90012
Dial 800 735 2922 (CA Relay Service) & Request 213 576 3091 (TTY for the hearing impaired)
Fax 213 576 3092
E-mail andrea.winkler@irs.gov

Detailed SMART information will soon post to our web site, www.losangeles.feb.gov.

Thank you for considering SMART for your agency and for your continued support. If you have any questions, Ms. Winkler will be pleased to assist you.

Attachment